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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,) 2:14-cr-00183-KJD-PAL
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 MARIA MARCELA GUZMAN-)
12 CEBALLOS,)
13 Defendant.)

14 This Court finds that defendant Maria Marcela Guzman-Ceballos, pled guilty to Count
15 One of a One-Count Superseding Criminal Information charging her with Possession of a
16 Controlled Substance with Intent to Distribute – Methamphetamine, in violation of 21 U.S.C. §§
17 841(a)(1) and (a)(1)(C). Criminal Information, ECF No. 56; Plea Agreement, ECF No. 58;
18 Arraignment and Plea, ECF No. 59.

19 This Court finds defendant Maria Marcela Guzman-Ceballos agreed to the forfeiture of
20 the property set forth in the Plea Agreement. Plea Agreement, ECF No. 58, Arraignment and
21 Plea, ECF No. 59.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
23 America has shown the requisite nexus between property set forth in the Plea Agreement and the
24 offense to which defendant Maria Marcela Guzman-Ceballos pled guilty.

25 The following property is (1) any firearm or ammunition involved in or used in any
26 knowing violation of any other criminal law of the United States, Title 21, United States Code,
Sections 841(a)(1) and (a)(1)(C) and (2) any firearm or ammunition intended to be used in any

1 offense punishable under the Controlled Substance Act, Title 21, United States Code, Sections
2 841(a)(1) and (a)(1)(C), and is subject to forfeiture pursuant to Title 18, United States Code,
3 Section 924(d)(1) with Title 28, United States Code, Section 2461(c) and Title 18, United States
4 Code, Section 924(d)(1), (2)(C), and (3)(B) with Title 28, United States Code, Section 2461(c):

- 5 1. a Smith & Wesson, semi-automatic handgun, bearing serial number DVN6799;
- 6 and
- 7 2. any and all ammunition
- 8 (all of which constitutes property).

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
12 the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
14 of Maria Marcela Guzman-Ceballos in the aforementioned property is forfeited and is vested in
15 the United States of America and shall be safely held by the United States of America until
16 further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
18 America shall publish for at least thirty (30) consecutive days on the official internet government
19 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
20 property, state the time under the applicable statute when a petition contesting the forfeiture must
21 be filed, and state the name and contact information for the government attorney to be served
22 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
23 Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
25 entity who claims an interest in the aforementioned property must file a petition for a hearing to
26 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,

1 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
2 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
3 facts supporting the petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
5 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
6 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
7 sixty (60) days after the first day of the publication on the official internet government forfeiture
8 site, www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
10 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
11 the following address at the time of filing:

12 Michael A. Humphreys
13 Assistant United States Attorney
14 Daniel D. Hollingsworth
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
19 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
20 agency following publication of notice of seizure and intent to administratively forfeit the above-
21 described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
23 of this Order to all counsel of record.

24 DATED this 2nd day of Jan, 2018.

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26 UNITED STATES DISTRICT JUDGE